

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CARLA J. SCHREIBER,

Plaintiff,

vs.

**STATE OF NEBRASKA and
NEBRASKA STATE PATROL,**

Defendants.

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8:05CV537

ORDER

This matter is before the court on plaintiff's Motion [142] to quash a subpoena served on the NEOC for the production of five microcassette tapes of recorded conversations between plaintiff and officials of the Nebraska State Patrol. Apparently, during discovery, the parties believed the tapes no longer existed. The tapes were recently discovered in the files of the NEOC.

The court acknowledges that discovery has closed; however, in their response [150], the defendants have shown good cause for issuing the subpoena in question. Nor does it appear that the plaintiff will be unfairly prejudiced if this limited discovery is allowed.

IT IS ORDERED that plaintiff's Motion to Quash [142] is denied.

DATED February 6, 2007.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**